

REMARKS

Claims 1-19, as amended, remain herein. Claims 3, 11-15 and 17 are currently withdrawn from consideration.

Applicants thank the Examiner for the courteous interview conducted May 1, 2008. It was then agreed that amending claim 1 to clarify that the sub-band does not rotate around an axial center line relative to the projectile would overcome the rejections over the prior art. Support for the amendment can be found, for example, in the specification in Figs. 1a, 1b, and 4; at p.6, lines 14-16, 21-26; and p.7, line 37-p.8, line 3. It was further agreed that amending claim 6 to clarify that part of each indentation passes through a line parallel to a central axis of the sealing band would overcome the rejections of claim 6. Claims 1 and 6 have been so amended.

1. Claims 1-10, 16, 18 and 19 were rejected under 35 U.S.C. § 103(a) over Gotz U.S. Patent 4,833,995, Heitmann U.S. Patent 6,712,005, and Leblond EP 11103780. Claims 2, 4-10, 16, 18 and 19 depend from independent claim 1. Gotz discloses a band 10 surrounding a projectile for reducing spin when the projectile is ejected from a tube. Gotz fails to disclose a sub-band that is not rotatable with respect to a projectile around a longitudinal axis of the projectile. Rather, the band 10 in Gotz has a lateral spacing 15 between the band 10 and a retainer slide ring 14. See Gotz, Fig. 2. The spacing allows the band to slide with respect to the slide ring so that as the projectile is ejected from a barrel, the band slides with the rifled barrel but the projectile does not slide as much. See Gotz, col. 1, lines 60-64.

Neither Heitmann nor Leblond discloses what Gotz lacks. Specifically, neither Heitmann nor Leblond discloses the sub-band of applicants' claim 1. Nor would it have been obvious to one of ordinary skill in the art to modify any of Gotz, Heitmann, and Leblond to render obvious

applicants' claim 1. The band 10 of Gotz is designed specifically to reduce the movement of a projectile leaving a barrel. Modifying the sub-band of Gotz would render the sub-band unsatisfactory for its intended purpose, and would render the corresponding retainer slide ring 14 useless. See MPEP § 2143.01(v) "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."

Regarding claim 6, none of Gotz, Heitmann, and Leblond discloses a sealing band in which each sub-band section comprises at least one indentation for connecting to a corresponding indentation of a neighboring section for forming a sealing deflecting plate for propellant gases, such that at least part of each indentation passes through a single line parallel to a central axis of the sealing band. Gotz discloses multiple sections of a sealing band joined by indentations, but the indentations are in a radial direction, so that a line parallel to a central axis of the sealing band would not pass through indentations of two adjacent bands. The structure according to claim 6 allows the band sections to pull apart as the projectile leaves a barrel, while still pressing against each other and forming a seal for gases. Conversely, if the band sections of Gotz pulled apart, gases would be able to push from the rear of the projectile towards the front through a space between the sub-band sections.

Neither Heitmann nor Leblond discloses what Gotz lacks, namely multiple sub-band sections according to applicants' claim 6.

Since Gotz, Heitmann, and Leblond fail to disclose every element of applicants' claims 1 and 6; and since it would not have been obvious to one of ordinary skill in the art to modify any of Gotz, Heitmann, and Leblond to render obvious applicants' claims; Gotz, Heitmann, and

Leblond are inadequate grounds for rejecting claims 1, 2, 4-10, 16, 18 and 19 under 35 U.S.C. § 103(a). Reconsideration and withdrawal of the rejection are respectfully requested.

Accordingly, the application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293. If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

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